

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MELZIG, et al  
Serial No.: Rule 1.53(b) Divisional Application  
of Serial No. 09/259,052, filed March 1, 1999  
Filed: Herewith  
For: PHOTOCROMIC COMPOUNDS  
Group of parent: 1611  
Examiner of parent: D. Rao

PRELIMINARY AMENDMENT

Assistant Commissioner of Patents  
Washington, D.C. 20231

March 29, 2001

Sir:

Prior to examination of the above-identified application,  
please amend the above-identified application as follows:

IN THE SPECIFICATION:

Page 1, after line 1, insert the following paragraph:

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Cross-Reference to Related Applications:

This application is a Divisional of application Serial  
No. 09/259,052, filed March 1, 1999, which application is a  
continuation of application Serial No. 08/888,540, filed on  
July 7, 1997 (now abandoned), which application is a  
continuation of application Serial No. 08/578,583, filed on  
April 17, 1996 (now abandoned).--

IN THE CLAIMS:

Please cancel Claims 1 - 4.

Please add the following new claim to the application:

--5. A method for producing a photochromic compound suitable for use as a single substance for photochromic tinting of a transparent article made of a plastic material, said tinted article having a neutral gray or brown color in the excited state, the method comprising the step of fusing at least two non-identical photochromic sections that are selected so that the different absorption wavelengths of the excited photochromic sections give rise to a neutral gray or brown color in the plastic material, and which photochromic sections are further selected from the group consisting of oxazines and pyrans and of which at least one is not an indolino spiropyran, to an aromatic structure selected from the group consisting of benzene, biphenyl, naphthalene, anthracene and phenanthrene, the positions of fusion on the aromatic structure being directly adjacent to the oxygen atom of the pyran or the oxygen or nitrogen atom of the oxazine.--

#### REMARKS

This application is a Rule 1.53(b) Divisional of Serial No. 09/259,052, which application is a continuation of application Serial No. 08/888,540, filed on July 7, 1997 (now abandoned), which application is a continuation of application Serial No. 08/578,583, filed on April 17, 1996 (now abandoned).--

The specification has been revised to incorporate changes that were made in the parent application in the amendments of September 17, 1999 and July 31, 2000. Further, Example 1 in

the prior application, relating to a photochromic compound with two identical photochromic sections, has been deleted, as well as the figures relating to the compound of Example 1 and the numbering of the remaining figures and examples has been changed. A new abstract is provided that reflects the new Claim 5 added above. It is respectfully submitted that these revisions do not constitute new matter with respect to the prior application.

The above Preliminary Amendment adds new claim 5 to the application. Claim 5 is supported, for example, by pages 3-9 of the prior application and pages 6 - 9 of the present revised specification.

Entry of the Preliminary Amendment and favorable action on the merits, are respectfully requested.

Kindly charge any additional fees due, or credit overpayment of fees, to Deposit Account No. 01-2135. (File No. 028.34242VC3)

Respectfully submitted,  
ANTONELLI, TERRY, STOUT & KRAUS



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